

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 17-cr-23-pp

KWESEN SANDERS,

Defendant.

**ORDER GRANTING GOVERNMENT'S MOTION FOR PRELIMINARY ORDER
OF FORFEITURE (DKT. NO. 42)**

On November 7, 2017, the government filed a motion asking the court to enter a preliminary order of forfeiture under Federal Rule of Criminal Procedure 32.2. Dkt. No. 42. The motion seeks an order of forfeiture for the Glock 43, 9mm semi-automatic pistol bearing serial number ZBX088, loaded with seven 9mm cartridges as listed in the forfeiture notice of the February 7, 2017 indictment. Id. at 1. The government notes that on August 18, 2017, the defendant pled guilty to counts One and Two of the indictment (dkt. no. 21), and that under that plea agreement, the defendant agreed to the entry of a preliminary order of forfeiture, dkt. no. 20 at 8, ¶29. Id.

The government also asks the court to dismiss the Glock model 17, 9mm semi-automatic pistol bearing serial number MGS937, with a 30-shot extended magazine loaded with 21 cartridges and one cartridge in the chamber from the forfeiture notice of the indictment. The government asserts that this gun was stolen, and will remain at the Milwaukee Police Department to be returned to its rightful owner. Dkt. No. 23 at 1.

The court **GRANTS** the government's motion for entry of preliminary order of forfeiture. Dkt. No. 23. The court **ORDERS** that all right, title, and interest in the Glock 43 9mm semi-automatic pistol bearing serial number ZBK088, loaded with seven 9mm cartridges, is **PRELIMINARILY FORFEITED** to the United States under 18 U.S.C. §924(d), and 28 U.S.C. §2461(c).

The court **ORDERS** that the Bureau of Alcohol, Tobacco, Firearms and Explosives, or its duly authorized representative, immediately shall seize the item described above.

The court **ORDERS** that under 21 U.S.C. §853(n)(1), the United States shall publish notice of this order, and of its intent to dispose of the property according to law.

The court **ORDERS** that, under Fed. R. Crim. P. 48(a), the Glock model 17, 9mm semi-automatic pistol bearing serial number MGS937, with a 30-shot extended magazine loaded with 21 cartridges and one cartridge in the chamber, is **DISMISSED WITHOUT PREJUDICE** from the forfeiture notice of the February 7, 2017 indictment.

The court will recount the terms of this order in the defendant's judgment and commitment order.

Dated in Milwaukee, Wisconsin this 14th day of December, 2017.

BY THE COURT:



HON. PAMELA PEPPER
United States District Judge